

AMENDED IN ASSEMBLY SEPTEMBER 2, 2005

AMENDED IN ASSEMBLY JULY 7, 2005

AMENDED IN SENATE MAY 11, 2005

AMENDED IN SENATE APRIL 25, 2005

SENATE BILL

No. 1056

Introduced by Senator Florez

February 22, 2005

An act to add ~~Section 52007 to the Food and Agricultural Code, Sections 6901.5 and 52251.5 to the Food and Agricultural Code,~~ relating to agriculture.

LEGISLATIVE COUNSEL'S DIGEST

SB 1056, as amended, Florez. Agriculture.

Existing law generally regulates nursery stock and provides that the Secretary of Food and Agriculture shall provide for periodic inspection of nurseries and may prescribe standards for cleanliness of nursery stock sold or produced in the state.

Existing law, the California Seed Law, generally regulates seed sold in California to ensure that seed purchased by the consumer-buyer is properly identified and of the quality represented on the tag or label.

This bill would state that these provisions of law relating to nursery stock and seed are of statewide concern and occupy the entire field of regulation regarding registration, labeling, sale, storage, transportation, distribution, notification of use, and use of nursery stock and seeds to the exclusion of local regulations.

~~Existing law, generally regulates field crops and provides that the Secretary of Food and Agriculture may establish uniform standards for field crop products, as specified.~~

~~This bill would state that these provisions of law relating to field crops are of statewide concern and occupy the entire field of regulation regarding registration, labeling, sale, storage, transportation, distribution, notification of use, and use of field crops to the exclusion of local regulations.~~

Vote: majority. Appropriation: no. Fiscal committee: no.
State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. Section 6901.5 is added to the Food and
2 Agricultural Code, to read:

3 6901.5. Except as otherwise provided in this code, the
4 provisions of this chapter are of statewide concern and occupy
5 the entire field of regulation regarding the registration, labeling,
6 sale, storage, transportation, distribution, notification of use, and
7 use of nursery stock to the exclusion of all local regulations.
8 Except as otherwise specifically provided in this code, no
9 ordinance or regulation of any political subdivision may prohibit
10 or in any attempt to regulate any matter relating to the
11 registration, labeling, sale, storage, transportation, distribution,
12 notification of use, or use of nursery stock.

13 SEC. 2. Section 52251.5 is added to the Food and
14 Agricultural Code, to read:

15 52251.5. Except as otherwise provided in this code, the
16 provisions of this chapter are of statewide concern and occupy
17 the entire field of regulation regarding the registration, labeling,
18 sale, storage, transportation, distribution, notification of use and
19 use of seeds to the exclusion of all local regulations. Except as
20 otherwise specifically provided in this code, no ordinance or
21 regulation of any political subdivision may prohibit or in any
22 way attempt to regulate any matter relating to the registration,
23 labeling, sale, storage, transportation, distribution, notification
24 of use, or use of seeds.

25 ~~SECTION 1. Section 52007 is added to the Food and~~
26 ~~Agricultural Code, to read:~~

27 ~~52007. Except as otherwise specifically provided in this code,~~
28 ~~the provisions of this chapter are of statewide concern and~~
29 ~~occupy the entire field of regulation regarding the registration,~~
30 ~~labeling, sale, storage, transportation, distribution, notification of~~

1 ~~use, and use of field crops to the exclusion of all local~~
2 ~~regulations. Except as otherwise specifically provided in this~~
3 ~~code, no ordinance or regulation of any political subdivision may~~
4 ~~prohibit or in any way attempt to regulate any matter relating to~~
5 ~~the registration, labeling, sale, storage, transportation,~~
6 ~~distribution, notification of use, or use of field crops.~~

O